

Appendix I: Draft Compatibility Determinations

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In accordance with the Refuge Improvement Act of 1997, no uses for which the Service has authority to regulate may be allowed on a unit of Refuge System unless it is determined to be compatible. A compatible use is a use that, in the sound professional judgment of the refuge manager, will not materially interfere with or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of the national wildlife refuge. Managers must complete a written compatibility determination for each use, or collection of like-uses, that is signed by the manager and the Regional Chief of Refuges in the respective Service region. Draft compatibility determinations applicable to uses described in this draft CCP and EIS are included in this appendix.

A list of future uses which will require a case-by-case compatibility determination, and a list of uses which are generally prohibited and therefore not subject to compatibility, are also listed below.

A draft determination is included for the following uses in the order they appear:

- # Archeological investigations and surveys / 262
- # Canoeing and kayaking / 264
- # Commercial fishing / 265
- # Deer Hunting / 267
- # Environmental education / 270
- # Fruits of the soil harvest / 272
- # Interpretation, wildlife observation, and photography / 274
- # Migratory Bird Hunting / 278
- # Recreational Fishing / 281
- # Research by Third parties / 283
- # Temporary work outside of existing rights-of-way / 285
- # Trapping of furbearers / 287
- # Tree harvest / 290

Case-by-case compatibility determinations (not included in CCP and EIS)

- # Special events, non-Refuge sponsored
- # Commercial filming
- # Military exercises
- # New or expanded rights-of-way

- # Mosquito and other pest control (e.g. gypsy moth)
- # Predator control by others
- # Research by third parties, not related to refuge management information needs

Generally prohibited uses – no compatibility determination required

- # Business, commercial or industrial
- # Civilian aircraft landing
- # Tally ho fox hunting
- # Sand and gravel extraction
- # Off road vehicle use (including ATVs, golf carts, airboats)
- # Snowmobiling
- # Horseback riding
- # Field trials
- # Beekeeping
- # Wild rice harvest
- # Rock hounding
- # Geo-caching
- # Paintball games
- # Antler collecting
- # Harvest of plants or plant parts (other than raspberries, blackberries, or mushrooms)
- # Kite flying
- # Turtle Harvest
- # Night-lighting fish or wildlife

DRAFT Compatibility Determination

Use: Archeological Investigations and Surveys

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
- # "suitable for-(1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species ..." (Refuge Recreation Act(16 U.S.C 460k-460k-4), as amended)
- # "... for the development, advancement, management, conservation, and protection of fish and wildlife resources." (6 U.S.C. 742f(a)(4)(Fish and Wildlife Act of 1956.)

National Wildlife Refuge System Mission:

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Description of Use:

Permitted archeological investigations on the Trempealeau National Wildlife Refuge are those requested by archeologists who are not performing the investigation for Refuge management purposes (e.g., not for Section 106 of the National Historic Preservation Act). Rather, permitted archeologists are pursuing their own or institutional research or are working for other parties that will be conducting activities on Refuge land, or as requested by the Governor of Minnesota, and similar third party

activities on lands of the National Wildlife Refuge System. Permitted investigations can occur at any time of the year; but generally not during the winter. Investigations may be as short as a few hours or go on for months, depending on the research objective. These permitted investigations occur on the Refuge most often in response to a planned project where resources could be disrupted, but could occur because of the general archaeological richness of the Refuge.

Archeologists request Archaeological Resources Protection Act (ARPA) permits or Antiquities Act permits to conduct "Surveys and limited testing and limited collections on lands identified@ and AExcavation, collection and intensive study of specific sites described" on Refuge managed lands. Permits are issued by the Regional Director to qualified archeologists. Permits can be for any place on Refuge managed lands, but each permit is for specific lands; i.e., no general archeological permits are authorized.

The Refuge Manager also issues a special use permit to archeologists prior to investigation on lands managed by the Refuge. The permit defines allowable dates and times for the investigation, and other stipulations designed to protect Refuge resources and minimize conflicts with other occurring uses.

Availability of Resources:

The Refuge has the resources available to administer this use. This activity will require the Refuge Manager to develop and issue a Special Use Permit and random inspections of the project area. ARPA/Antiquities permits are received by the Regional Historic Preservation Officer and issued by the Regional Director as part of normal duties.

Anticipated Impacts of the Use:

Impacts from routine pedestrian surveys, soil coring, shovel tests, and land form analysis are limited to short term disturbance to wildlife using the immediate area and disruption of vegetative cover for the growing season on an extremely small area affected by shovel tests.

Impacts from a large scale excavation are potentially longer term (several growing seasons) with associated disturbance impacts affecting animals in the immediate area. Vegetative cover disruption

may be severe enough to require site re-grading and reseedling to desired native species.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

- ☐ Use is Not Compatible
- ☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Applicant must obtain a special use permit issued by the Refuge Manager which will list any special conditions required to safeguard Refuge resources and minimize impacts. All permits will include the following special condition:

“Permittee will shore up walls of test pits and trenches in accordance with OSHA standards; will flag, barricade, and sign testing areas as necessary to prevent injury to the public; will refill shovel tests as soon as excavated and data are recorded, including replacing the vegetative plug to restore original conditions; will backfill excavations as soon as data recording is completed; and will seed or replant the surface with a vegetative mix approved by the Refuge Manager.”

Predetermined stipulations on ARPA/Antiquities permits and the requirements in 43 CFR Part 7, “Protection of Archaeological Resources: Uniform Regulations,” contain protective measures to be accomplished by archeologists.

Justification:

Although temporary disruption of habitat and wildlife routines could occur, this disruption is limited in scope and duration. Due to stipulations and the issuance of a permit, the Refuge Manager will have control on when and where the activity will occur to avoid or minimize disruption to sensitive species and fragile habitats, and disturbance during seasonally critical times (such as nesting for birds). Habitat restoration will be required as needed and there should be no long-term impacts. With stipulations in place, the use would not materially interfere

with or detract from the purpose of the Refuge and the mission of the Refuge System.

In addition, the archeological investigations would be conducted in the public interest for which Federal agencies protect archeological sites and the results may be included in public interpretive exhibits and other public dissemination. The results of the study could also increase Refuge understanding of prior human activities on the Refuge and could be part of Refuge interpretive and public information programs.

Signature: Refuge Manager:

Concurrence: Regional Chief:

Mandatory 10- or 15 year Re-evaluations Date:

Draft: Compatibility Determination

Use: Canoeing and Kayaking

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
- # "suitable for-(1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species ..." (Refuge Recreation Act(16 U.S.C 460k-460k-4), as amended)
- # "... for the development, advancement, management, conservation, and protection of fish and wildlife resources." (6 U.S.C. 742f(a)(4)(Fish and Wildlife Act of 1956.)

National Wildlife Refuge System Mission:

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Description of Use:

This use entails the silent water sports canoeing and kayaking. These uses on the refuge make possible a means to enjoy wildlife observation, fishing, photography and other recreational activities.

The main season for canoeing and kayaking is April through October, with peak use during the summer months. Access to Refuge waters is available at 2 maintained boat launch areas, but is not limited to such areas; whereas, watercraft that is hand carried can be portaged along any shoreline.

Availability of Resources:

Minimal management of this use is needed and staffing and funding is adequate. The Refuge maintains 2 existing boat landings to support this activity.

Anticipated Impacts of the Use:

Disturbance to wildlife, such as flushing of feeding or resting birds, is inherent. Use is generally light and sporadic. Fisheries, emergent and submersed vegetation, and other aquatic species will be not generally be impacted.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

Stipulations:

The Refuge Manager reserves the option of closing specified areas for short times to minimize disturbance to over water nesting birds, eagle nests, large flocks of migrants, or other sensitive species.

Closures or other temporary restrictions will be clearly posted at landings and will be published in area newspapers.

Justification:

Disturbance to wildlife is minor due to the nature of these silent sports activities and the limited number of this type of user. Wildlife displacement is generally temporary and short-term and there is adequate alternative resting areas given the wide open Refuge pools.

Signature: Refuge Manager:_____

Concurrence: Regional Chief:_____

Mandatory 10- or 15 year Re-evaluations Date:_____

DRAFT Compatibility Determination

Use: Commercial Fishing for habitat improvement

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

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Description of Use:

This use describes the removal of rough fish and bullheads by commercial fishers. Rough fish include those species designated by the Wisconsin Inland Rough Fish Contract, and include carp, buffalo, sheephead, suckers, quillback, gizzard shad, moon-eye, dogfish, and garfish. Bullheads are considered a sportfish in Wisconsin but removal from Trempealeau waters is allowed by agreement with the State. The Refuge Fishery Management Plan (1991) provides recommendations and strategies for commercial

fishing. An objective of the Refuge's draft Comprehensive Conservation Plan is to update the Fishery Management Plan by the year 2009, and to continue the existing commercial fishing program until the update is completed. Commercial fishing will be regulated by special use permit and subject to all State regulations and permitting. The Refuge will receive daily copies of the catch report required by the Wisconsin Inland Rough Fish Contract.

The objective of commercial fishing is to improve water clarity and aquatic habitats to promote the germination of submersed and emergent plants. Submersed plants like pondweeds, elodea, and wild celery provide an important food source for migrating birds and also are important in the lifecycle of many aquatic invertebrates. Emergent plants like arrowhead, cattail, bulrush and lotus are important for forage and shelter to a variety of wildlife species. Vegetation sampling in 2003, indicated very low occurrence of submersed plants, and an examination of aerial photographs reveals that the amount of emergent vegetation has decreased dramatically over the life of the Refuge. The negative impacts of large populations of rough fish, particularly carp, on aquatic habitats in lakes and marshes has been thoroughly documented. Fishery surveys from the 80s and 90s estimated carp, buffalo, and bullheads accounted for 80-90% of the standing crop of fish in Trempealeau waters. In 1984, surveys reported the standing crop of fish to be about 2,000,000 pounds. Prior to Refuge establishment, the Delta Fish and Fur Farm removed in excess of 200,000 pounds of carp and buffalo annually. In 2000, commercial fishing netted 21,000 pounds of fish. In 2001, approximately 200,000 pounds were taken.

All of the Refuge pools are shallow impoundments and lack of oxygen frequently causes winter fish kills. The few game fish that do overwinter and maintain small populations are northern pike, yellow perch, largemouth bass, and bluegills.

Commercial fishing for rough fish and bullheads will be permitted in Pool A and Pool B. This area is about 1000 acres of the 6200 acre Refuge, although actual fishing will occur on just a few acres where the fish congregate. Commercial fishing will coincide with the drawdown of Pool A and will be permitted the winter before and during the drawdown. Seining will be the primary method to collect fish although other methods may be permitted as

allowed by State law. A crew of 5-6 people load the fish for transportation. Storage of boats and crates is permitted at locations specified by the Refuge Manager.

Rough fish markets pay higher prices for fish in the winter when demand is higher. Most commercial fishing occurs in the winter.

Availability of Resources:

No special equipment or facilities are needed for this activity. Some administrative costs will be incurred for implementing the bid process, oversight of the program and reporting. Funding for this activity comes from annual operations and maintenance funding for the Refuge and is deemed adequate given the current Refuge involvement.

Anticipated Impacts of the Use:

Surveys conducted by the La Crosse Fisheries Resource Office (FWS) show a large population of carp and bullheads in all Refuge pools. Commercial fishing in conjunction with a drawdown will significantly reduce rough fish numbers. Bullheads may not be large enough to be commercially valuable and their populations may not be impacted by commercial fishing. Northern pike may be captured by seining. The release of all adult game fish will be required, although some mortality may occur. Mortality of game fish is likely to occur from winter kill regardless of commercial fishing activities.

The reduction of rough fish will improve the growth of aquatic and emergent plants. Some stumps and plants may be displaced by dragging the seines, but impacts are temporary and plants should easily recover during the next growing season.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

- ☐ Use is Not Compatible
- ☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. All applicable State and Federal regulations apply.
2. Commercial fishing will occur only during November through March.
3. All adult game fish will be returned to the water.
4. A Special Use Permit is issued to all commercial anglers. A harvest report is required to identify the total number of pounds of fish caught by species.

Justification:

Commercial fishing is primarily limited to the harvest of what are generally considered rough fish. The removal of rough fish improves habitat for many other species of native fish, plants and wildlife. Commercial fishing is a primary method of control for invasive and exotic common carp and Asian carp species, and as such, directly contributes to the purposes of the Refuge for the conservation of fish, wildlife, and plants. Refuge-specific regulations and stipulations ensure that commercial fishing is sound biologically and has limited adverse impacts on Refuge fish, wildlife, and habitat. This activity will not interfere or detract from the fulfillment of the National Wildlife Refuge System mission or the purposes of the Refuge.

Signature: Refuge Manager: _____

Concurrence: Regional Chief: _____

Mandatory 10- or 15 year Re-evaluations Date: _____

DRAFT Compatibility Determination

Use: White-tailed Deer Hunting

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
- # "suitable for-(1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species ..." (Refuge Recreation Act(16 U.S.C 460k-460k-4), as amended)
- # "... for the development, advancement, management, conservation, and protection of fish and wildlife resources." (6 U.S.C. 742f(a)(4)(Fish and Wildlife Act of 1956.)

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Description of Use:

The entire Refuge is open to hunting for white-tailed deer with the exception of Black Oak Island Natural Area and designated roads. Season dates, bag limits, and harvest methods are consistent with State regulations, except when more restrictive Refuge regulations apply. The Refuge Hunting Plan (1983) and the Master Plan (1983) provide policy, strategies, and regulations on deer hunting. An objective of the Refuge's draft Comprehensive Conservation Plan is to update the Hunting Plan by

2008, and to continue the existing hunting program until the update is completed. Currently, gun hunters apply for an opportunity to participate in a drawing for a pre-set number of hunting permits. The number of permits varies each year depending on State regulations and the discretion of the Refuge Manager. Archery hunting is permitted for the late season and unlimited number of permits are available over the counter. Approximately 15-20 deer are harvest each year.

Before pre-settlement, much of the refuge was prairie and savannah, a habitat that does not support many deer. When the land began to be farmed in the late 1800's, through its establishment as a refuge in the 1930's, deer habitat remained scarce on the refuge. Refuge management techniques included planting many non-native species such as black locust, various pines, honeysuckle, and Siberian pea in order to provide habitat for wildlife. This new habitat attracted deer.

For a short time in the 1940's, a deer hunt was allowed, but after reducing the numbers to less than ten, the hunts were cancelled. In the 1960's, abundant food and cover, combined with no hunting, allowed the numbers to increase. Crop depredation complaints increased and a winter feeding program was implemented in 1968. Deer numbers skyrocketed with this feeding program in place resulting in a 1974 population of about 120 deer. A distinct browse line was visible in all of the refuge woodlands, so the feeding program was eliminated in 1975. Winter mortality increased, but numbers remained at the estimated 120 deer. Deer were commonly viewed along the Wildlife Drive and it became a popular activity of many locals to drive to the "deer park" at dusk and watch the deer. A hunt program was re-established in the 1980's, but the hunting pressure was not great enough to reduce the deer herd. A more intensive harvest began in the early 1990's when 120 deer permits were issued. The number was reduced to 60 permits in the mid 1990's and is about that number today. Late archery hunting has been permitted since the 1980's, but the few deer taken have had minimal impact on the population.

Deer surveys conducted by driving a set route in late afternoon have shown a dramatic decrease in the number of deer since the '80's. Deer browse surveys have also shown a dramatic decrease in the

amount of vegetation deer are consuming and this is also evidenced by the lack of a browse line in the woodlands.

Availability of Resources:

Staff administer the applications for permits, permit drawing, and special use permits. Additional signage is needed during the hunt and staff often work extra hours to staff check stations or ensure safety of other visitors. Hunters use the existing network of roads to access areas open to hunting. Parking lots, boat ramps, restrooms, docks, leaflets, information kiosks, and signs are provided by the Refuge for use by hunters. Refuge staff and volunteers maintain these facilities and disseminate information to visitors. Refuge Law Enforcement Officers, Service Special Agents, and State Conservation Officers/Wardens enforce State and Refuge hunting regulations. Adequate resources are available to manage the existing hunting program at the current level of participation.

Anticipated Impacts of the Use:

Accommodating this wildlife-dependant use is expected to result in minimal impacts. Although hunting causes mortality to wildlife, season dates and bag limits are set with the long-term health of populations in mind. Populations of certain species, for example white-tailed deer, are monitored by State agencies. Survey information indicates that a limited harvest will not adversely affect the overall deer population level. Without harvest, deer will quickly overpopulate an area causing degradation to the quality and quantity of vegetation. Therefore, deer hunting promotes a healthier, more robust, and diverse Refuge plant community. Deer hunting may also reduce the number of deer/car collisions on adjacent highways.

Disturbance to wildlife may also result from hunting activity. This disturbance is expected to be limited in scope and duration. Because hunting is not permitted in Refuge closed areas during the duck hunting season, this use is not a source of disturbance to waterbirds concentrated in these areas. All motor vehicle use is restricted to designated roads, trails, and parking areas which reduces disturbance to wildlife. Disturbance to habitat is minimal given the nature of this hunting and restriction of vehicle use.

Hunting or possession of firearms is prohibited on the Refuge except as authorized by special use permit for hunting.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

___ Use is Not Compatible

X Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

This use must be conducted in accordance with State and Federal regulations.

This use is subject to modification if on-site monitoring by Refuge personnel or other authorized personnel results in unanticipated negative impacts to natural communities, wildlife species, or their habitats.

Hunters must obtain a Special Use Permit to hunt on the Refuge and comply with existing Refuge hunting, access, and public use regulations.

The Hunting Plan must be revised by 2008, as called for in the Refuge Comprehensive Conservation Plan. A new compatibility determination will be prepared at that time.

Justification:

Hunting seasons and bag limits are established by the states and generally adopted by the Refuge. These restrictions ensure the continued well-being of overall populations of game animals. Hunting does result in the taking of many individuals within the overall population, but restrictions are designed to safeguard an adequate breeding population from year to year. Specific Refuge regulations address equity and quality of opportunity for hunters, and help safeguard Refuge habitat. Disturbance to other fish and wildlife does occur, but this disturbance is generally short-term and adequate habitat occurs in adjacent areas. Loss of plants from boat or foot traffic is minor, or temporary, since hunting occurs mainly after the growing season.

Conflicts between hunters are localized and are addressed through law enforcement, public education, and continuous review and updating to state and Refuge hunting regulations. Conflicts between other various user groups are minor given the sea-

son of the year for hunting, the location of most hunting away from public use facilities, and the system of Administrative Closed Areas. Non-hunting visitors are encouraged to wear blaze orange and information signs are placed at trail heads and other public use areas.

Stipulations above will ensure proper control of the means of use and provide management flexibility should detrimental impacts develop. Allowing this use also furthers the mission of the National Wildlife Refuge System by providing renewable resources for the benefit of the American public while conserving fish, wildlife, and plant resources on the Refuge.

Signature: Refuge Manager:_____

Concurrence: Regional Chief:_____

Mandatory 10- or 15 year Re-evaluations Date:_____

DRAFT Compatibility Determination

Use:Environmental Education

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
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Description of Use:

Currently, environmental education activities contribute nearly 2,100 visits each year to the Refuge. Typically, use occurs between September and June by individual school classes and large groups during educational field days. Environmental education programs focus on national wildlife issues including wildlife, history, archaeology, culture, and habitats. Wildlife ecology programs address a number of wildlife conservation issues including wetland and prairie conservation, migratory bird manage-

ment, invasive species, habitat restoration, and endangered species conservation. Programs also involve development of outdoor skills which enhance appreciation of wildlife and their habitats. The Refuge has become increasingly popular as an outdoor classroom for all academic grade levels including several universities. Staff involved activities include invasive species removal programs, hands-on habitat restoration, assisting with the biological control (collection and distribution of beetles) of invasive species, and assisting with grassland monitoring surveys. Some non-staffed activities include, seining fish, and bird-watching.

Refuge facilities which support environmental education are currently very limited. Facilities include a small visitor contact station, one observation deck, two hiking trails, biking trails, and an auto tour route.

The Comprehensive Conservation Plan recommends additional facilities and an expanded environmental education program. An environmental education facility addition which would include a 1000 square foot multi-purpose room, an outdoor learning shelter, and year-round toilet facilities is recommended. In 2005, a full-time visitor services specialist was established in order to expand the current environmental education program. This staff person will provide more students with an opportunity for environmental education on the Refuge. In addition, the Refuge plans to provide more teacher workshops and orientations, and help develop site-specific curricula, materials, and activities. Environmental education programs will be developed by partnering with other conservation agencies. Additional field trip assistance would be available to enhance learning in an outdoor setting. Students and teachers would also be able to participate in coordinated restoration, and monitoring programs through long-term monitoring studies.

Availability of Resources:

The staff for coordinating the current level of environmental education is available but limits the number and depth of programs and amount of assistance to educators. Maintaining the public use facilities which support environmental education is part of routine management duties and staff and funding is available. Additional facilities as outlined in the Refuge Comprehensive Conservation Plan would enhance opportunities for environmental education

and improve the quality and quantity of programs, but would require additional funding.

Anticipated Impacts of the Use:

There is some temporary disturbance to wildlife due to environmental education activities. However, the disturbance is local, temporary and generally not detrimental to individual animals or populations. Some habitat is disturbed during activities, but of little long term consequence. Future increases in facilities and participants would cause some displacement of habitat and increase in disturbance, but this is negligible given the controlled nature of environmental education and the size of the Refuge. Control of areas used by groups would avoid or minimize intrusion into sensitive habitats or wildlife areas.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

Environmental education activities not led by Refuge staff will require, at a minimum, verbal approval by the Refuge Manager or visitor services specialist to minimize conflicts with other groups, safeguard students and resources, and to allow tracking of use levels. The Refuge Manager may require Special Use Permits at her/his discretion.

Students and teachers will continue to be instructed on the best ways to view wildlife with minimal disturbance.

Educational groups are required to have a sufficient number of adults to supervise their groups, at the discretion of the Refuge staff.

Justification:

Most environmental education will occur, or be directed to, existing and future facilities in strategic locations providing quality opportunities while limiting wildlife and habitat disturbance. Disturbance to

wildlife is also limited by the size and remote nature of large parts of the Refuge. Many species have also grown more tolerant of human presence due to railroads, highways, and other types of traffic adjacent to or through the Refuge. Disturbance is also generally short-term and only temporarily displaces wildlife, and adequate adjacent habitat is usually available for wildlife. The approval process for groups will limit disturbance to wildlife and ensure avoidance of sensitive areas. Numerous other stipulations will be in place to facilitate these uses while reducing direct and indirect impacts.

As one of the six priority public uses of the Refuge system, this use is to be encouraged when compatible with the purposes of the Refuge. The Refuge provides outstanding environmental education opportunities due to the diversity of wildlife and habitat on the Refuge, and the range of environmental issues faced. For example, increasing concerns with invasive species provides a subject for environmental education exploration. The extensive education community bordering the Refuge desires more opportunities for hands-on experiential learning. Educating students of all ages about the resources and challenges of the Refuge is an important way to influence the future well-being of the Refuge and the river. Only through understanding and appreciation will people be moved to personal and collective action to ensure a healthy Refuge for the future.

Signature: Refuge Manager:_____

Concurrence: Regional Chief:_____

Mandatory 10- or 15 year Re-evaluations Date:_____

DRAFT Compatibility Determination

Use:Fruits of the Soil Harvest (e.g. berry and mushroom picking)

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

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Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

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National Wildlife Refuge System Mission:

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Description of Use:

Nearly all of the Refuge has been open to collecting of raspberries, blackberries and mushrooms since it was acquired. Access to harvest sites is typically accomplished by walking from a parking area, boat landing, or public roadway. Access may also be by boat. These foods are hand picked and harvest I during daylight hours, generally by individuals or small groups.

For some people, this is a traditional, family-oriented activity which provides an opportunity for those participating to collect wholesome foods while enjoying the natural environment. It may also take place in conjunction with other activities that are wildlife-dependent such as wildlife observation while hiking, and photography.

Availability of Resources:

Access trails, parking lots, boat landings, signs, and other facilities are in place to support this use. Staff is also available to maintain these facilities, enforce Refuge regulations, and provide information to the public. Administering this use can thus be done with existing resources for on-going operations, maintenance and public information.

Anticipated Impacts of the Use:

Historically, public participation in the collection of plant food products on the Refuge has been low, and future participation is also expected to be low. The quantity and frequency of plant food products removal is not expected to significantly diminish wildlife food sources or jeopardize wildlife survival.

Disturbance to wildlife may occur from people engaged in these activities, but the disturbance will be local, short-term, and not affect overall feeding, resting, and reproduction activities of wildlife. Wildlife is expected to move to ample adjacent habitat during the activity, and return shortly thereafter. Thus, this activity should not result in long-term impacts that adversely affect fish, wildlife, and plant resources of the Refuge.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

- ☐ Use is Not Compatible
- ☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. Harvest of raspberries, blackberries and mushrooms is allowed. Harvest of any other plants or plant parts is prohibited.
2. Plant products are for personal use only and cannot be sold or traded.
3. Damaging trees, shrubs or any other vegetation is prohibited.
4. Cutting or removing plants or their parts such as vines or blossoms is prohibited.

Justification:

The use has little impact to wildlife or habitat since it is non-motorized, involves few visitors, and disturbance is local and short-duration. Little harvest occurs in late fall which is the peak of the waterfowl migration. Due to the relatively small number of visitors for this activity and the personal use only stipulation, the amount of plants or parts harvested will not create any shortage of wild foods for any particular wildlife species. Refuge infrastructure (parking areas, boat landings, etc.) and law enforcement staff already in place will be sufficient to facilitate and administer this use into the future.

In view of the above, and with the stipulations previously described, berry and mushroom harvest will not materially interfere with or detract from the purposes of the Refuge or the missions of the Refuge System.

Signature: Refuge Manager: _

Concurrence: Regional Chief:

Mandatory 10- or 15 year Re-evaluations Date:

DRAFT Compatibility Determination

Use: Interpretation, Wildlife Observation and Photography

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
- # "suitable for-(1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species ..." (Refuge Recreation Act(16 U.S.C 460k-460k-4), as amended)
- # "... for the development, advancement, management, conservation, and protection of fish and wildlife resources." (6 U.S.C. 742f(a)(4)(Fish and Wildlife Act of 1956.)

National Wildlife Refuge System Mission:

"The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

Currently, interpretation, wildlife observation and photography account for the majority of annual visits to the Refuge. Typical use is by individuals, family groups, school groups, and large groups during Refuge sponsored special events. Interpretation, wildlife observation, and photography are becoming increasingly popular activities for visitors, and a source of economic growth for many communities.

As three of the six priority public uses of the Refuge system, these uses are to be encouraged when compatible with the purposes of the Refuge. The Refuge provides outstanding wildlife viewing opportunities due to the abundance of eagles, swans, ducks, warblers, pelicans, herons and other birds people find unique and interesting. The National Scenic Byways and Great River State Bike Trail both border the Refuge making it one of the most spectacular wildlife viewing and photography areas in the nation. The public and communities desire more opportunities for these uses. Interpreting the resources and challenges of the Refuge to a public of all ages is a vital way to influence the future well-being of the Refuge.

Interpretation: An estimated 94,000 interpretive visits occur each year on the Refuge. This use occurs throughout the year at the kiosks, trails, a year round visitor contact station with interpretive exhibits, an observation deck and boat landings. Interpretive signs are the single most popular method of interpretation used on the Refuge. These signs convey site-specific messages at visitors' convenience since they are available any season or time of day. Three entrance signs, one overlook sign, four interpretive kiosks, a self-guided auto tour route, a wildlife viewing observation deck with waterfowl identification panels, and interpretive signs along the Woods Trail and Prairie View hiking trails, provide information about the Refuge.

The Refuge offers several on-refuge special events with interpretation that on target Refuge related themes. These events are aimed at increasing the public's awareness of the National Wildlife Refuge System and the wildlife that depends on it. River Education Days held annually in May exposes an average of 800 fifth grade area students to environmental education activity stations. In addition, International Migratory Bird Day – Refuge Birding Festival (May) and Refuge Week (October) also present conservation related learning activities. Typically, event activities are theme driven and include but are not limited to bird walks, nature crafts, special presentations, photography classes, fishing clinics, bird banding, special demonstrations, canoe trips, and other activities. These festival type educational events can attract anywhere from 300 to 1000 individuals. Exhibitors may be present at refuge festivals and may sell items related to the event theme. The presence of exhibitors is intended to

enhance the celebration and the public's understanding of the event. Such exhibitors might include but are not limited to Eagle Optics –binoculars and spotting scopes, Bird Song – bird identification software and field guides, and Bluff Country Co-op – shade-grown coffee.

Wildlife Observation and Photography: The Refuge allows the general public access from sunrise to sunset, during anytime of the year to areas designated as open for observing and photographing scenery and associated flora and fauna. A 4.5 mile auto tour route is open during daylight hours year round. A companion brochure interprets Refuge habitat features at 11 stops along the way. The auto tour route circles the 700 acres of upland habitat on the Refuge as well as accesses the observation deck which overlooks the main pool. There are approximately 12 miles of roads open to hiking/biking year round. A section of the auto tour route is part of the Wisconsin's DNR Great River State Trail and a majority of bicycles use on the Refuge occurs along this route. Most of the hiking occurs on Refuge service roads and two interpretive trails - the Wood's Nature Trail and Prairie View Trail. An observation deck with interpretive waterfowl identification panels is adjacent to the Wood's Nature Trail. In addition, boating with hand-powered watercraft or boats with electric motors is permitted on Refuge pools and cross-country skiers may access all areas of the Refuge. Refuge facilities offer outstanding wildlife viewing and photography opportunities due to the abundance of eagles, swans, ducks, warblers, pelicans, herons, and other birds. The Comprehensive Conservation Plan recommends adding the following additional facilities and opportunities: constructing a 1000 square foot multi-purpose room, year round toilet facilities, cross-country ski trails for winter recreation, two accessible fishing platforms with signs, update the existing information kiosks, adding supplementary displays in the visitor contact station, adding interpretive kiosks at observation decks and at highway rest areas near the Refuge, and supporting the extension to the Great River State Bike Trail from the Refuge Marshland Access to Winona, MN for bicycling, hiking, and cross-country skiing.

Guided Interpretation and Observation: Commercially guided observation is discussed in the compatibility determination for this economic use. However, various no-fee or not-for-profit tours are conducted by non-profit groups, schools and colleges, or other agencies. Unlike general public wildlife observation, this use does require a Special Use

Permit from the respective Refuge Manager due to the impacts that concentrated groups of people may have. The number of commercially guided tours that are occurring is not known.

Availability of Resources:

Currently, there is one full-time visitor services staff member for the Refuge. The needed staff for coordinating the interpretive, wildlife observation and photography programs is available but limits the number of guided or facilitated programs. Maintaining the public use facilities is part of routine management duties and staff and funding is available. Additional facilities and having a person dedicated to enhancing the visitor services program will increase public opportunities for these uses and improve the quality and quantity of programs.

Staffing available for coordination of special events is adequate. Volunteers and other partners contribute significant resources in terms of labor, coordination, and some funding. Exhibitors may bring their own or use available small 10'X10' tents if needed and electricity is also available. Additional portable toilets will be necessary to accommodate larger than normal visitation.

Administering Special Use Permits for non-profit guided observation increases overall costs of Refuge operations, including but not limited to, development and review of policy and procedure, yearly administration of permits (inquiries, screening applicants, issuing permits), and enforcement of permit conditions. In the short-term, existing staff is adequate. However, the number of permits issued will have to be limited in balance with staff resources. In the long-term, additional administrative and/or other personnel as identified in the Comprehensive Conservation Plan will be needed.

Anticipated Impacts of the Use:

Disturbance of wildlife is the primary concern regarding these uses. Disturbance to wildlife, such as the flushing of feeding, resting, or nesting birds, is inherent to these activities. There is some temporary disturbance to wildlife due to boating and human activities on trails (canoe, hiking, and biking) however, the disturbance is temporary and generally localized. Increased facilities and visitation would cause some displacement of habitat and increase some disturbance to wildlife, although this is expected to be minor given the size of the Refuge and by avoiding or minimizing intrusion into important wildlife locations and habitat.

Special events will have an insignificant amount of impact upon the resource and disturbance to wildlife will be minimal and not likely to interfere with successful migration or production. Event parking will occur on public roads and parking areas and the location of exhibitors and event activities will occur in already established public use areas. Some areas may require the mowing of high grasses for the location of an activity station but vegetation disturbance will not create long-term adverse affects to adjacent habitat or wildlife.

Guided observation tours generally have impacts similar to the above, but have the potential for significant impacts due to the large number of people tours tend to attract. Some disturbance may occur to nesting bald eagles, or other species or sensitive habitats without proper restrictions and oversight. These impacts can include nest abandonment and/or separation of young from parents. Guided tours also introduce more people into Refuge areas then would generally occur, with an overall increase in noise and visual disturbance to wildlife.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

☐ Use is Not Compatible

☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. The Refuge is open during daylight hours only.
2. Areas may be closed seasonally to these activities if needed to meet wildlife and habitat objectives.
3. Managers will monitor use patterns and densities and make adjustments in timing, location, and duration as needed to limit disturbance.
4. Use will be directed to public use facilities (both existing and in the future), which are not in or near sensitive areas.

5. Personal portable photo or viewing blinds must be removed each day.
6. Observation areas will continue to provide wildlife viewing scopes to enhance viewing from a distance which reduces disturbance.
7. Commercial and not-for-profit guiding operations will be regulated by permit with timing and spacing constraints to protect sensitive wildlife or habitat.
8. Not-for-profit guiding requests will be considered without fee but under the applicable stipulations governing commercial guides (areas, licensing, insurance, record keeping and reporting, etc.)
9. Interpretive, wildlife observation and photography activities (including Refuge-conducted) may be prohibited in areas that are posted closed due to sensitive wildlife habitat during certain months.
10. Trail layout and design for all hiking/biking and groomed cross-country ski trails will continue to ensure adequate adjacent cover for wildlife and avoid sensitive wildlife areas or habitat.
11. Interpretive presentations and products will continue to include messages on minimizing disturbance to wildlife.
12. Additional portable toilet facilities will be provided to minimize waste impacts.
13. The number of visitors will be limited to 1000 for the entire day and 500 at any given time during the event.
14. Exhibitor's sales items will match the event theme to enhance the Refuge celebration and support wildlife-oriented event activities.
15. Exhibitors will set up and take down on the day of the scheduled event

Justification:

Most uses will occur, or be directed to, existing and future facilities in strategic locations providing quality wildlife interpretation, observation, and photography opportunities while limiting wildlife and habitat disturbance. Disturbance to wildlife is also limited by the size and remote nature of large parts of the Refuge. Many species have also grown more tolerant of human presence due to railroads, highways, and other traffic adjacent to or through the Refuge. Disturbance is also generally short-term and only temporarily displaces wildlife, and ade-

quate adjacent habitat is usually available for wildlife. The permitting process for guided tours will limit disturbance to wildlife from larger groups and ensure avoidance of sensitive areas. Numerous other stipulations will be in place to facilitate these uses while reducing direct and indirect impacts.

Signature: Refuge Manager:_____

Concurrence: Regional Chief:_____

Mandatory 10- or 15 year Re-evaluations Date:_____

DRAFT Compatibility Determination

Use: Migratory Bird Hunting

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
- # "suitable for-(1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species ..." (Refuge Recreation Act(16 U.S.C 460k-460k-4), as amended)
- # "... for the development, advancement, management, conservation, and protection of fish and wildlife resources." (6 U.S.C. 742f(a)(4)(Fish and Wildlife Act of 1956.)

National Wildlife Refuge System Mission:

"The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

The use is the hunting of ducks, geese and coots in accordance with State and Federal regulations. Currently, waterfowl hunting on the refuge is for hunters with disabilities during a 2 week period in the fall.

Waterfowl hunting has been a tradition along the Mississippi River and adjacent areas for decades. A portion of the refuge formerly known as the Delta Fish and Fur Farm had about 4,900 acres open to private hunting. After this land was acquired,

waterfowl hunting was prohibited. In 2001, the remaining 450 acres of Dairyland property were acquired, and this area was also closed to waterfowl hunting.

Trempealeau Refuge is located adjacent to Pool 6 which is within the Upper Mississippi River National Wildlife and Fish Refuge. This pool has no areas closed to waterfowl hunting, but Trempealeau Refuge functions as a closed area, providing resting and feeding sites for migrating birds, particularly during the fall hunting season.

Although Trempealeau Refuge wetlands were open to public hunting prior to 1979, only a relatively small group of individuals hunted, primarily on weekends. Adequate sanctuary areas existed to hold large numbers of birds and the area essentially functioned as a modified closed area. During a major planning effort (Master Plan) in 1983, it was determined that public waterfowl hunting, if allowed, should be managed such that the overall impact of the activity in terms of birds harvested and disturbance would not exceed what had occurred under private ownership.

The 1983 Master Plan determined that a managed waterfowl hunt be considered on that portion of Trempealeau NWR west of the Canadian National Railroad. Beginning in 1989, a waterfowl hunt for hunters with disabilities was held annually in that area for a short period during the regular state season. A youth waterfowl hunting program was also initiated in the mid 1980s but was eliminated due to lack of participation.

An objective of the draft Comprehensive Conservation Plan is to revise the Hunt Plan by 2008, to open an area west of the Canadian National Railroad dike to a series of special waterfowl hunts targeting youth, women, individuals with disabilities and other hunters new to the sport. Public input will be sought to help craft a program that will promote quality hunting and encourage participants to become life-long participants in waterfowl hunting and conservation. In the meantime the hunt for people with disabilities will continue as it has in the past, with approximately 14 hunters (with 1 helper each) for 8 days over a 2 week period. Hunting slots are awarded on a first-come-first serve basis.

Availability of Resources:

Migratory bird hunters will use the existing network of roads to access areas open to hunting. Parking lots, leaflets, information kiosks, and signs are provided by the Refuge for use by migratory bird hunters. Additional signs and brochures will be needed to open the new hunt. The Refuge also provides staff and volunteers to maintain these facilities and disseminate information to visitors.

Refuge law enforcement officers, Service special agents, and State conservation officers/wardens enforce Refuge and migratory bird hunting regulations. Bag checks to determine hunter success are conducted by Service staff and volunteers. Pilots and biologists from the Service and Wisconsin Department of Natural Resources conduct weekly aerial surveys during fall migration to document migratory bird use in selected areas of the Refuge. This information is used by managers and also provided to migratory bird hunters and others through the Service's website.

Existing staff resources are available to manage migratory bird hunting, since it has been deemed a high priority activity. Some cost of managing the hunt will be offset by user fees.

Anticipated Impacts of the Use:

Although hunting causes mortality and disturbance to those species hunted, bag limits, season dates, and other regulations are set to protect the long-term health of populations.

Considerable effort is made to educate migratory bird hunters on species identification to better prepare them for the challenges of hunting on the Refuge. Hunters occasionally commit unlawful acts, such as exceeding the daily bag limit, taking non-target species, or hunting in a closed area. These incidents, while locally significant, usually have minor impacts on the migratory bird resource.

Migratory bird hunters may also disturb migratory birds and other wildlife as they travel to and from their hunting sites or when retrieving downed birds. Depending on the location and the number/species of migratory birds in the area, a disturbance can be temporary with displaced birds moving to nearby backwaters. For some species like bald eagles and other predators, migratory bird hunting creates a readily available food source due to birds lost or wounded.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

___ Use is Not Compatible

X Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

- # The waterfowl hunt for persons with disabilities will occur for a two week period in the fall in the area between the Canadian National Railroad and River Bottoms Road.
- # Waterfowl hunting must be conducted in compliance with existing State regulations and bag limits.
- # Hunters must have a Class A or C Disabled Hunting Permit from the State.
- # Fourteen hunters (with 1 helper each) will be selected on a first-come-first-served basis, for the first Saturday and Sunday. Two parties may hunt each day, Tuesday, Wednesday, and Thursday the following 2 weeks.
- # Hunting will not be permitted from a boat on the weekdays, although a boat may be used to set decoys and retrieve birds.
- # Weekend hunters may hunt from hand powered boats, but must provide their own life jackets and comply with State boating regulations.
- # The Refuge Hunt Plan will be revised by 2008, as called for in the Comprehensive Conservation Plan. A new compatibility determination will be made at that time.

Justification:

Migratory bird hunting seasons and bag limits are established by the states within a framework set nationally by the U.S. Fish and Wildlife Service. These restrictions ensure the continued well-being of overall populations of migratory birds. Hunting does result in the taking of many individuals within the overall population, but restrictions are designed to safeguard an adequate breeding population from year to year. Specific Refuge regulations address equity and quality of opportunity for hunters. Dis-

turbance to other fish and wildlife does occur, but this disturbance is generally short-term and adequate habitat occurs in adjacent areas. Loss of plants through boat traffic or blind construction is minor, and temporary since hunting occurs mainly after the growing season.

Conflicts between hunters are localized and are addressed through law enforcement, public education, and proposed changes to hunting regulations. Decreased visitation by other user groups in the fall should lessen the chances of conflicts with waterfowl users. Also, most waterfowl hunting occurs in marsh habitat and along remote shorelines where most other visitors do not venture.

Stipulations above will ensure proper control of the means of use and provide management flexibility should detrimental impacts develop. Allowing this use also furthers the mission of the National Wildlife Refuge System by providing renewable resources for the benefit of the American public while conserving fish, wildlife, and plant resources on the Refuge.

Signature: Refuge Manager:_____

Concurrence: Regional Chief:_____

Mandatory 10- or 15 year Re-evaluations Date:_____

DRAFT Compatibility Determination

Use: Recreational Fishing and Fishing Platforms

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
- # "suitable for-(1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species ..." (Refuge Recreation Act(16 U.S.C 460k-460k-4), as amended)
- # "... for the development, advancement, management, conservation, and protection of fish and wildlife resources." (6 U.S.C. 742f(a)(4)(Fish and Wildlife Act of 1956.)

National Wildlife Refuge System Mission:

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Description of Use:

The Refuge allows public recreational fishing in accordance with Refuge and State regulations and open seasons. State fishing regulations permit the traditional taking of game fish species with rod and reel from shore, an accessible fishing platform, boat (hand powered boats or boats with electric motors only) and through the ice. Potentially, 5500 acres of water on the refuge will be open to fishing throughout the year but is subject to seasonal or special case restrictions.

Northern pike, yellow perch, largemouth bass and bullheads are the fish that usually make up the creel. Records indicate close to 1,000 fisherman visits occur annually. The Comprehensive Conservation Plan recommends the Refuge will coordinate an annual educational fishing event and install two new accessible fishing platforms to enhance fishing opportunities for all individuals.

Availability of Resources:

Anglers use the existing roads to access the Refuge for fishing. The Refuge provides two maintained boat ramps, parking areas, an accessible fishing platform, signs and other facilities to assist anglers. The Refuge provides staff to maintain facilities, disseminate information to visitors, and enforce regulations. Adequate resources are available to manage the existing fishing program at the current level of participation. Two additional accessible fishing platforms are planned. Maintenance costs associated with the platform are minimal. Work is handled by current staff and funded at the present budget levels.

Anticipated Impacts of the Use:

Accommodating this wildlife-dependent use is expected to result in minimal impacts. Survey information indicates that the present minimal sport fishing pressure will not adversely impact the overall fish population levels.

Fishing activities may cause temporary disturbance to waterfowl and other wildlife using the Refuge. This disturbance may displace individuals to other parts of the Refuge, however, the disturbance will be limited in scope due to (1) the minimal amount of users (2) access is limited to foot traffic and/or hand-powered boats or boats with electric trolling motors and (3) the availability of other resting areas available to displaced individuals.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

___ Use is Not Compatible

X Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

- # Only hand-powered boats and/or boats with electric motors are permitted.
- # Ice fishing shelters must be removed from the Refuge each day.
- # All fish entrails must be disposed of properly.
- # All State and Refuge regulations will apply.
- # Removal of rough fish by spear, archery, and dip net is not allowed.
- # Harvesting turtles is not allowed.
- # Night lighting for fish or any other wildlife is prohibited.
- # Projectile weapons are not permitted on the Refuge (with the exception of permitted archery hunting for deer).
- # Use of all-terrain vehicles is not permitted at any time on the Refuge to access fishing spots.
- # Release of surplus live bait into Refuge waters is not allowed.

Justification:

Fishing is one of the priority public uses on national wildlife refuges. Fishing seasons and limits are established by the states and adopted by the Refuge. These restrictions ensure the continued well-being of overall fish populations. On-going habitat restoration and enhancement projects continue to improve overall fish habitat. Disturbance to other wildlife does occur, but is generally short-term and alternative habitat resources are available in adjacent areas. Loss of plants or increased water turbidity is negligible due to boat restrictions that are in place as well as the existing minimal fishing pressure. Stipulations will help reduce or eliminate any unwanted impacts of the use. Fishing platforms will help eliminate shoreline erosion and positively impact the structural integrity of the dike. Platforms will offer fishing opportunities accessible to wheel-chair bound anglers and improve the quality of the experience.

Signature: Refuge Manager: _____

Concurrence: Regional Chief: _____

Mandatory 10- or 15 year Re-evaluations Date: _____

DRAFT Compatibility Determination

Use: Research Projects by Third Parties

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
- # "suitable for-(1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species ..." (Refuge Recreation Act(16 U.S.C 460k-460k-4), as amended)
- # "... for the development, advancement, management, conservation, and protection of fish and wildlife resources." (6 U.S.C. 742f(a)(4)(Fish and Wildlife Act of 1956.)

National Wildlife Refuge System Mission:

"The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

The Refuge allows research on a variety of biological, physical, archeological, and social issues to address management information needs or other issues not related to Refuge management. Studies are conducted by federal, state, and private entities, including the U.S. Geological Survey, state departments of natural resources, state and private universities, and independent researchers and contractors. Examples of recent biological research include: determination of the causal factors affect-

ing habitat distribution patterns; nesting, feeding and resting activities of waterfowl; songbird use of the floodplain; long-term frog population and habitat studies; impacts of management on fish and wildlife habitat; contaminants in fish and wildlife; and scientific collections.

Research concerning changes in water quality, sedimentation rates and distribution, occurrence of contaminants, and hydrologic conditions assess physical characteristics of the Refuge in relation to construction and management of habitat projects.

Research is also applied to determine population demographics of Refuge visitors and the types of recreational activities people are doing while on the Refuge.

Studies that involve collection of plants have been made to determine available energy (food) sources, to combat invasive species, or for use in making reference collections. Fish and wildlife (including invertebrates) are collected for contaminant and/or disease analyses, mark and recapture studies, other population analyses, and radio telemetry (distribution) studies.

Research study sites, sampling locations, and transects may be temporarily marked by highly visible wooden or metal posts that must be removed when research ceases.

Access to study sites is by foot, truck, all-terrain vehicle, boat, airboat, canoe, other watercraft, and aircraft. Vehicle use is allowed on Refuge roads, trails, and parking lots normally open to the public. Nearly all the Refuge is open for allowed research activities throughout the year. Entry may be restricted in Pools A and B when large concentrations of waterfowl or other migrants are present.

Availability of Resources:

Existing staff currently issue Special Use Permits at the request of researchers and based on the individual requirements of each project. Staff resources are deemed adequate to manage this use at anticipated use levels. Access points, boats, other vehicles and equipment and limited logistical support are available from the Refuge.

Anticipated Impacts of the Use:

Research activities may disturb fish and wildlife and their habitats. For example, the presence of

researchers can cause waterfowl to flush from resting and feeding areas, or cause disruption of birds and turtles on nests or breeding territories. Efforts to capture animals can cause disturbance, injury, or death to groups of wildlife or to individuals. To wildlife, the energy cost of disturbance may be appreciable in terms of disruption of feeding, displacement from preferred habitat, and the added energy expended to avoid disturbance.

Sampling activities can cause compaction of soils and the trampling of vegetation, the establishment of temporary foot trails and boat trails through vegetation beds, disruption of bottom sediments, and minor tree damage when temporary observation platforms are built.

The removal of vegetation or sediments by core sampling methods can cause increased localized turbidity and disrupt non-target plants and animals.

Research efforts may also discover methods that result in a reduction in impacts described above.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

- ☐ Use is Not Compatible
- ☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. Prior to conducting investigations, researchers will obtain Special Use Permits from the Refuge that make specific stipulations related to when, where, and how the research will be conducted. The Refuge Manager will retain the option to prohibit research on the Refuge which does not contribute to the purposes of the Refuge or the mission of the Refuge System, or causes undo resource disturbance or harm.
2. Researchers must possess all applicable state and federal permits for the capture and possession of protected species, for conducting regulated activities in wetlands, and for other regulated activities.

3. Researchers must clearly mark posts, equipment platforms, fencing material, and other equipment left unattended in open water so as to not pose a navigation hazard to boaters. Such items shall be removed as soon as practicable upon completion of the research.
4. Access to pools may be restricted during times of year when large concentrations of migrants are present.
5. Researchers will submit annual status reports and a final report concerning Refuge research to the Refuge Manager.

Justification:

Research by third parties plays an integral role in Refuge management by providing information needed to manage the Refuge on a sound scientific basis. Investigations into the biological, physical, archeological, and social components of the Refuge provide a means to analyze management actions, impacts from internal and outside forces, and ongoing natural processes on the Refuge environment. Research provides scientific evidence as to whether the Refuge is functioning as intended when established by Congress.

Adverse impacts of research that cause localized vegetation trampling or disruption of wetland bottom sediments are often short-term and will be minimized through stipulations above. Vehicular access is allowed only on roads and trails normally open to the public, thus resulting in no net increase in vehicular impacts. Any research equipment that remains in the field for the duration of the project will be clearly marked to avoid potential hazards presented to other Refuge users.

Signature: Refuge Manager:

Concurrence: Regional Chief:

Mandatory 10- or 15 year Re-evaluations Date:

DRAFT Compatibility Determination

Use: Temporary Work Outside Existing Right-of-Way

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
- # "suitable for-(1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species ..." (Refuge Recreation Act(16 U.S.C 460k-460k-4), as amended)
- # "... for the development, advancement, management, conservation, and protection of fish and wildlife resources." (6 U.S.C. 742f(a)(4)(Fish and Wildlife Act of 1956.)

National Wildlife Refuge System Mission:

"The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

Allow short-term disturbance to Refuge lands for highway or other public interest projects with no right-of-way expansion and full restoration. Requests are made by state and local governmental agencies, railroads, and utility companies to do repairs and improvements to existing road ways and utility facilities associated with existing rights-of-way on, and adjacent to, the Refuge. Many of these requests require temporary work outside existing

right-of-way boundaries, generally resulting in temporary disturbance to the associated vegetation. Frequently, the temporary work requested is required to reshape a slope immediately adjacent to a road right-of-way to improve transportation safety. In the case of utility lines, the request may involve access across Refuge lands to a portion of the right-of-way for repairs or structure replacement. Most often, the temporary work outside of the right-of-way is conducted during the summer and fall, when construction conditions are optimal. The work typically involves temporary disturbance to uplands that can be re-planted with native vegetation to restore it to its original planted character. This determination will allow approved work and temporary habitat disturbance outside the right-of-way boundary when long-term impacts are either beneficial or not significantly harmful.

Availability of Resources:

In most cases, minimal expense is required of the Service for these projects. However, on occasion, the scope of a project may be such that a major commitment in staff and/or resources is required. In these cases the Service may opt to require the permittee to reimburse the agency for administrative costs. Authorization of the projects will require the requesting organization to cover habitat restoration costs. There may be a modest administrative cost for issuing and monitoring the work.

Anticipated Impacts of the Use:

The impacts to the associated uplands with this use will be minimal and temporary. When the request includes unavoidable destruction of vegetation, approval will be limited to sites previously tilled or otherwise disrupted. No native prairie remnants or wetlands may be destroyed. Any areas with disturbed vegetation will be seeded by the requesting organization to a diverse mix of native species that will lead to better long-term habitat than the vegetation originally disturbed.

Most of this work occurs in summer and fall, after the waterfowl nesting season. The duration of any single project is usually 1 to 8 weeks. Occasionally, work may occur during the nesting season but the size of the disturbance zone will be minimal. The quality of the habitat in the disturbed zone may be diminished for up to 3 years following the project but the disturbed zone will provide some migratory

bird value by the year following the project. The long-term productivity of the disturbed zone will frequently increase due to the replacement of exotic, less desirable cover with native vegetation.

Most impacts will be along existing roads in areas already subject to significant habitat and aesthetic deterioration due to existing transportation right-of-way. In some cases, a utility right-of-way can split an otherwise contiguous block of quality habitat. In these settings, the disturbance from machinery and construction activity will still be temporary but the impact to waterfowl and other migratory birds is likely greater. The existing right-of-way already results in some disturbance but the decision to authorize temporary work outside the right-of-way will slightly increase the magnitude of the disturbance.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

- ☐ Use is Not Compatible
- ☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. All work done outside of existing rights-of-way must be approved by Refuge Manager in the form of a letter of authorization or a Special Use Permit depending upon the scope of the project.
2. Conditions stipulated in a letter of authorization such as seeding mixes, weed control, etc. must be followed to remain a compatible use.
3. No work that leads to permanent loss of wetlands or native prairie remnants will be allowed without a site-specific compatibility determination. All state and federal laws must be complied with where impacts to wetlands are involved.
4. Wherever possible, work should be performed during the winter months when the ground is frozen to minimize damage to the soil surface. Where ground disturbance will

occur on Service lands outside a right-of-way, appropriate steps must be taken to ensure that there are no negative impacts to cultural resources.

Justification:

This use will not materially interfere with or detract from the purposes for which the Refuge was established with the above stipulations in place. Temporary disturbances to the lands adjacent to rights-of-way will usually have only short-term effects on wildlife and their habitat. Work within the rights-of-way is beyond the authority of the Fish and Wildlife Service to regulate other than influencing the timing and scope of work to minimize wildlife harm. Restricting off-right-of-way work to winter months will help prevent soil damage and minimize potential erosion and impacts to cultural resources. Ensuring that all state and federal laws pertaining to wetland impacts are complied with will ensure that any damage to wetlands is temporary and fully restored or mitigated. Allowing temporary work outside existing right-of-ways ensures that the holder can continue to provide essential human services to communities in the vicinity of the Refuge. In some cases, the repairs and maintenance performed may also ensure safety of visitors and the public. Finally, restoration of disturbed sites may, in some cases, increase productivity by providing more robust vegetation than what was originally present.

Signature: Refuge Manager:_____

Concurrence: Regional Chief:_____

Mandatory 10- or 15 year Re-evaluations Date:_____

DRAFT Compatibility Determination

Use: Trapping of Furbearers

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
- # "suitable for-(1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species ..." (Refuge Recreation Act(16 U.S.C 460k-460k-4), as amended)
- # "... for the development, advancement, management, conservation, and protection of fish and wildlife resources." (6 U.S.C. 742f(a)(4)(Fish and Wildlife Act of 1956.)

National Wildlife Refuge System Mission:

"The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

This use is the public trapping of resident furbearers on the Refuge in accordance with State regulations and Refuge-specific regulations. The Refuge Furbearer Trapping Plan (1999) provides policy, strategies, and regulations on furbearer trapping. An objective of the Refuge's draft Comprehensive Conservation Plan is to update the Furbearer Management Plan by the year 2009, and to continue the existing trapping program until the update is completed. This compatibility determination does

not apply to Acommercial@ trapping activities where the Service awards a contract, or permit, for the removal of furbearers to facilitate management such as protection of a dike system. Trapping is not a priority public use, as defined by the Refuge Improvement Act of 1997, of the National Wildlife Refuge System.

The original Refuge property acquired in 1936 consisted of 706 acres of upland; this acreage was not trapped. Following acquisition of 4900 acres from Dairyland Power Corporation in 1979, an environmental assessment that included public participation in its development was conducted to determine the impact of trapping on the Refuge. The assessment found that trapping would benefit the Refuge without causing significant environmental impact. Shortly after this decision was made in July 1981 an Interim Trapping Plan was approved to open the Refuge to trapping. The Interim Plan justified trapping based on the need to control expanding furbearer populations and provide recreational opportunities.

An environmental assessment was also completed in May 1982 as part of the master planning process. Trapping in the 5000 acres of marsh and open water habitat was considered in all of the alternatives proposed. Public meetings were held and comments were addressed; consensus was reached that the Refuge should be open to trapping. Trapping was found to cause no significant environmental impact.

The Refuge trapping program was initiated in the fall of 1981. Management of furbearers on the Refuge is accomplished through an annual recreational trapping. An open bidding system is used to assign trappers to the various units. Those bidding must have a Wisconsin State trapping license and must be present at the auction of units. The qualified applicant voicing the highest bid on a unit receives the exclusive rights to trap that unit for that trapping season. The Refuge is divided into 15 muskrat units which are overlaid by 4 beaver units. Because the primary trapper in a unit can have one helper, the number of trappers can vary from 19 to 40 depending on the interest in various units and the number of helpers in a unit. One senior citizen unit and one youth unit are designated and awarded by random drawing free of charge.

Trapping is permitted for a variety of species, however, muskrat, beaver, and raccoon are the primary target species. As a result, trapping activity is concentrated in and near the Refuge wetlands; the uplands inside of the Wildlife Drive are closed to trapping.

Trapping seasons for permitted species generally run from mid-October through mid-January, with beaver trapping allowed into mid-February.

Availability of Resources:

The trapping auction brings in \$800 to \$1900. Refuge costs associated with recreational trapping are anticipated to be \$3000 including administration costs. Access trails, parking lots, boat landings, signs, and other facilities as well as staff to enforce regulations and maintain these facilities have been provided by the Refuge. These facilities have been maintained for many years primarily to meet needs of the public engaged in fishing, hunting, trapping and boating-related activities. The Refuge budget adequately covers costs above the amount collected from trappers.

Anticipated Impacts of the Use:

The Wisconsin Department of Natural Resources publishes various types of wildlife population status reports that include furbearers. The 2002-2003 Wisconsin Furbearer Status Report indicated that statewide populations of muskrat, mink, raccoon, and beaver were doing well. However, there has been a recent decline in beaver populations along the Mississippi River management zone, but no change in beaver trapping regulations have been made by the State. River otter are increasing in the southern portion of Wisconsin.

Impacts of public trapping on the purposes of the Refuge and mission of the refuge system can be either direct or indirect and may have negative, neutral, or positive impacts on Refuge resources.

Direct impacts may include displacing migratory birds. Indirect impacts may include catch of target and non-target species that are predators on migratory birds and/or nests, or removal of species that induce habitat change (i.e. beaver).

Because of the temporal separation of trapping activities and breeding wildlife using the Refuge, direct impacts to these resources by trappers is negligible. These impacts are occasional, temporary, and isolated to small geographic areas. Bald eagles initiate nesting activities on the Refuge in February,

but there is no evidence that trapping has impacted bald eagle nest success.

Any habitat change as a result of trappers walking through vegetation or using willow cuttings to mark their traps is undetectable and insignificant. The creation of openings in heavy stands of emergent vegetation can enhance habitat use by fish and wildlife.

Indirect impacts to wildlife nesting and breeding success can result from the removal of animals under a trapping program. In many instances, these impacts are positive. Reductions in populations of nest predators such as raccoon, fox, skunk, and mink have a limited positive impact on nesting birds. The degree to which predator management, through a public trapping program, benefits migratory bird production can vary widely depending on the timing of the removal of predators, size of the habitat block, habitat isolation (for example islands) and adjacent land use.

The removal of plant-eating species such as beaver and muskrat can have both positive and negative impacts on Refuge resources. Muskrats will dig bank dens into dikes of water management facilities causing considerable damage and add costs to operations of the Refuge. Beaver will sometimes plug water control structures causing damage, limiting access and compromising Refuge habitat management capabilities. Managing beaver and muskrat populations at reasonable levels through a public trapping program can reduce costs to the Refuge in wildlife management activities.

Habitat management can be enhanced, however, by these same animals. Muskrats build houses and dens using aquatic vegetation, thus creating openings available for fish, waterfowl, and other migratory birds. Beaver dams create ponded habitat, and their lodges are also associated with openings in aquatic vegetation beds. These benefits minimize the need to commit Refuge resources to achieve these habitat conditions.

When considering impacts to Refuge purposes, impacts of the trapping program obviously include those to the furbearer populations themselves. Individual animals are harvested and removed, yet State Departments of Natural Resources indicate furbearer populations, with exceptions, are stable to increasing. Harvest data derived from trapper Fur Catch Reports indicate that trapper efficiency has remained fairly constant despite fewer total animals

trapped. Harvest data best reflect the number of trappers, trapping conditions, and fur prices.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

- ☐ Use is Not Compatible
- ☒ Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. Trapping activity must be conducted in compliance with existing State regulations.
2. Trappers must obtain a Special Use Permit to trap on the Refuge and comply with existing Refuge trapping, access, and public use regulations.
3. The Furbearer Trapping Plan must be revised by 2009, as called for in the Refuge Comprehensive Conservation Plan.

Justification:

Furbearer trapping on the Refuge is a useful tool in maintaining balance between furbearers and habitat, and safeguarding Refuge infrastructure. High predator (raccoon and red fox) populations can decrease nest success of ground-nesting migratory birds, thus compromising a purpose of the Refuge. Other furbearers damage Refuge infrastructure, especially muskrats that excavate their dens in earthen dikes, and beaver that plug water control structures. Costs of repair require the Refuge to divert resources away from other management activities that otherwise meet the purposes of the Refuge.

Furbearer populations, with local exceptions, are stable or increasing in Wisconsin. The Refuge's Furbearer Trapping Plan (1991) concludes that the trapping program does not have any appreciable negative impacts on furbearer populations.

In view of the above, trapping of furbearers, with the stipulations previously described, will not materially interfere with or detract from the purposes of the Refuge and the mission of the Refuge System. Overall, managed furbearer trapping contributes to

the purposes of the Refuge by maintaining vigor and health of furbearer populations and by safeguarding Refuge infrastructure critical to habitat for scores of fish and wildlife species.

This Compatibility Determination will be considered an interim document until the Refuge updates its existing Furbearer Management Plan of 1999, as called for in the draft Comprehensive Conservation Plan. The update process will invite public and agency comment on draft plans and will be accompanied by a new Compatibility Determination.

Signature: Refuge Manager:

Concurrence: Regional Chief:

Mandatory 10- or 15 year Re-evaluations Date:

DRAFT Compatibility Determination

Use: Tree Harvest by third parties for habitat management purposes

Refuge Name: Trempealeau National Wildlife Refuge (Refuge)

Establishing and Acquisition Authority(ies):

Trempealeau National Wildlife Refuge was established by Executive Order 7437, dated August 21, 1936.

Refuge Purpose(s):

The purposes come from the authority under which Trempealeau National Wildlife Refuge was established and from authorities under which subsequent major land additions to the Refuge were made. Purposes for Trempealeau NWR are:

- # "... a Refuge and breeding ground for migratory birds and other wildlife" (Executive Order 7437, dated August 21, 1936)
- # "suitable for-(1) incidental fish and wildlife oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species ..." (Refuge Recreation Act(16 U.S.C 460k-460k-4), as amended)
- # "... for the development, advancement, management, conservation, and protection of fish and wildlife resources." (6 U.S.C. 742f(a)(4)(Fish and Wildlife Act of 1956.)

National Wildlife Refuge System Mission:

"The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans."

Description of Use:

Tree harvest includes the removal of standing, felled, or fallen trees, and their stumps. This Compatibility Determination applies to all wood removal activities regardless of the ultimate use of the wood (e.g. firewood, pulp, fence posts, etc.). Tree harvest is not a priority public use, as defined by the Refuge Improvement Act of 1997, of the National Wildlife Refuge System.

Refuge staff spend a considerable amount of time controlling invasive tree species in prairies. A 1993 forest inventory shows that 160 acres of black locust dominated stands occur in the original 700 acres of refuge. In addition, many more hundreds of acres of forest contain a black locust and Siberian/Chinese elm component. Removing the mature invasive and exotic trees from the adjacent forest habitats would eliminate the seed source of these prairie invaders. In addition, though many of the pine species are not invasive, they are exotic and the stands are in poor condition. Thinning these pine stands will allow individual trees to grow larger.

The amount of wood that would be generated from removing these trees would be far more than the Refuge could burn in its wood stoves or use for other projects such as fish structures and fence posts. Wood cutters would remove much of the wood thus reducing staff time needed to pile and burn the trees.

Tree harvest would be conducted in areas east of the Canadian National Railroad where either: 1) invasive and/or exotic tree species are found, 2) trees in burn units have been determined to create an increased potential for fire escape if left standing during a prescribed fire (typically these trees would be within 70' of the edge of a burn unit and have been damaged by a previous fire.), or 3) dead trees have been determined to be inhibiting prairie or oak savanna restoration.

Tree harvest would be allowed Nov 1 through March 31 during normal office hours and by prior approval on Saturdays if staff are present. There will be no cutting on Federal holidays. Special Use Permits would be issued that specify when and how wood cutting and removal can take place. Each cutter would be allowed to cut in an area designated by Refuge staff. The areas where cutting occurs would be determined by habitat management objectives, principally invasive species control and reduction of dangerous fuels in burn units. The number of cutters with Special Use Permits in place at one time would be determined by the type of cutting being done and the availability of Refuge staff to cut trees in situations where that is needed. Where suitable demand and economic value exists, the Refuge may elect to award the permits through a competitive bidding system.

The scope of the activity will be determined by the management objective for the area and by the quantity and quality of available wood. Equipment used for harvest may range from chainsaws and axes, to traditional logging equipment such as feller-bunchers and log skidders. Access may be by pick-up truck, farm tractor, or larger traditional logging equipment. Where possible, access will be limited to roadsides or mowed fire breaks.

Availability of Resources:

Periodic and small-scale harvest operations can be adequately administered with existing staff resources. In some cases, resource partners like the Army Corps of Engineers, with their staff of foresters and technicians, will be able to assist. Any permit fees or timber sale receipts will not off-set costs since these funds are deposited in general accounts and not returned to the Refuge.

Anticipated Impacts of the Use:

Key waterfowl using tree cavities for nesting include wood duck and hooded merganser. Many other bird species use forested habitat for nesting, roosting, protective cover, or feeding. Examples of important species include: bald eagle, great blue heron, great egret, red-shouldered hawk, barred owl, prothonotary warbler, several woodpecker species, and many passerine bird species. The Upper Mississippi River corridor provides habitat critical to the successful migration of many bird species. The forests are also important to a variety of mammals, reptiles and amphibians, insects, and flowering plants. Carefully managed harvest will provide long-term benefits to wildlife and plants by improving overall forest diversity and health. Exotic and invasive tree species will be removed, increasing the extent of the prairie and oak savanna. These are desired upland habitats for Trempealeau National Wildlife Refuge as identified in the Comprehensive Conservation Plan. Removal of stands of black locust and other woody invaders will permit native plants to re-establish themselves, thereby restoring prairie and oak savanna habitats and increasing the diversity of the plant and animal communities. Prairie and oak savanna are two of the rarest habitat types in the area and are becoming scarcer with rapid development of remaining farm fields. It is important that these habitats be restored and maintained on the Refuge as an example of vegetation types that once occupied hundreds of thousands of acres in western Wisconsin.

During harvest activities, wildlife will be displaced to adjacent areas, although this disturbance is not likely to have a measurable impact and will be mitigated by timing and duration of harvest.

Potential adverse impacts include: short-term loss of site-specific habitats; short-term fragmentation of the landscape with resulting impact to bird use and productivity; loss of dead whole trees on the ground; soil disturbance that may increase exotic plant invasion and erosion; damage to roads and wetlands from equipment; damage to cultural resources; reduced visual esthetics; and disturbance to wildlife and visitors from cutting operations. These impacts are generally short-term in nature and on relatively small areas, and can be controlled to a large extent by permit conditions and management oversight. Required cultural resource surveys and actions will be conducted as determined in consultation with the Service's Regional Historic Preservation Officer.

Public Review and Comment:

This Compatibility Determination will be submitted as a portion of the Refuge Draft Comprehensive Conservation Plan and Environmental Impact Statement. Public notification and review includes a notice of availability, 45-day comment period, media announcements, and a series of public meetings in selected communities adjacent to the Refuge.

Determination:

___ Use is Not Compatible

X Use is Compatible With Following Stipulations

Stipulations Necessary to Ensure Compatibility:

1. Firewood and timber harvesting will be regulated by Special Use Permits which specify restrictions, use, and access limits.
2. Restricted use pesticides may be used to treat stumps as specified by the Refuge Manager.
3. Refuge staff will drop trees for firewood cutters to minimize the risk of accidents.
4. Where possible, heavy equipment used for timber harvesting will be restricted to periods when the ground is frozen, unless required cultural resource surveys and protections are in place.

5. Interpretive panels will be placed near harvest sites to inform visitors of the habitat management objectives.

Justification:

Restoring upland habitats on the refuge is dependent upon removal of exotic and invasive woody plants that have come on the scene since the 1930's. The extent to which encroachment has occurred and the scope of the problem dictates that a major effort is needed if any meaningful restoration can occur. The management techniques recommended have evolved from many years of dealing with invasive species on the refuge. Recent equipment innovations and interest from local loggers in black locust is encouraging. The changes brought about by the restoration of prairie and oak savanna will directly benefit several species considered to be Regional Resource Conservation Priorities including red-headed woodpeckers, Eastern meadowlark, dickcissels, and blue-winged teal.

Signature: Refuge Manager:_____

Concurrence: Regional Chief:_____

Mandatory 10- or 15 year Re-evaluations Date:_____